

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARISSA MALDONADO, et al.,

Plaintiffs,

v.

CITY OF FRESNO, et al.,

Defendants.

Case No. 1:24-cv-00102-SAB

ORDER CONTINUING INITIAL
SCHEDULING CONFERENCE TO JULY 2,
2024

Plaintiffs initiated this action on January 22, 2024 against Defendants City of Fresno, Officer R. Harrell, Officer Eric Claiborne, Anthony Jeff, Alice Valenzuela, and Police Chief Paco Balderrama. (ECF No. 1.) On April 24, 2024, the Court ordered that Plaintiffs file a notice regarding the status of this action in relation to the parties' readiness for the May 14, 2024 scheduling conference, including whether Defendants Officer R. Harrell, Officer Eric Claiborne, Anthony Jeff, and Alice Valenzuela had been served or whether they should be dismissed from this action. (ECF No. 9.)

On April 26, 2024, Plaintiffs filed a summons indicating Officer Eric Claiborne was served on April 25, 2024; a summons indicating Officer R. Harrell was served on April 26, 2024; and a notice of voluntary dismissal of Anthony Jeff and Alice Valenzuela from the action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). (ECF Nos. 10, 11, 12.)

On April 30, 2024, Plaintiffs filed a scant status report stating Defendants City of Fresno, Police Chief Paco Balderrama, Officer R. Harrell, and Officer Eric Claiborne have been served

1 and they filed a dismissal of the nominal defendants Anthony Jeff and Alice Valenzuela. (ECF
2 No. 13.) Plaintiffs failed to address their readiness for the scheduling conference on May 14,
3 2024.

4 Plaintiffs have not requested an extension of time to serve the Defendant Officers under
5 Rule 4(m). However, according to the summonses, Officer Harrell and Officer Claiborne's
6 answers or responsive pleadings are not due until May 16, 2024 (ECF No. 10) and May 17, 2024
7 (ECF No. 11), respectively. Clearly, the parties will not be ready to file a joint scheduling report
8 on May 7, 2024 and proceed into the scheduling conference currently set for May 14, 2024. The
9 Court shall therefore continue the scheduling conference.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. The scheduling conference currently set for May 14, 2024, is continued to **July 2,**
12 **2024, at 9:00 a.m. in Courtroom 9;** and
- 13 2. The parties shall file a joint scheduling report **seven (7) days** prior to the
14 scheduling conference.

15
16 IT IS SO ORDERED.

17 Dated: **May 3, 2024**


UNITED STATES MAGISTRATE JUDGE